



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: February 23, 2010

Department: Zoning, Building, Planning **Staff Contact:** Catherine VerEecke, Program Planner

TITLE: CONSENT: Special Use Permit for Specific Uses for Feed Store (CSU-90029)

COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

SUMMARY:

At the January 6, 2010 public hearing, the County Planning Commission voted (6-0, Commissioner McMahan excused) to recommend approval of the request for a Special Use Permit for Specific Use for a Feed Store on Tract A, Lands of Maximiano Maldonado, LD-74-24, located at 8812 2nd Street NW, zoned A-1, and containing approximately .83 acres. The decision was based on the following six (6) Findings and subject to the following fourteen (14) Conditions.

Findings:

1. This is a request for approval of a Special Use Permit for Specific Use for a Feed Store on Tract A, Lands of Maximiano Maldonado, LD-74-24, located at 8812 2nd Street NW, zoned A-1, and containing approximately .83 acres
2. The property is located in the Rural Area of the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan.
3. This request is consistent with Resolution 116-86 in that changed neighborhood conditions, including new retail, light industrial, and professional office uses, have occurred in the vicinity of the site.
4. This request has substantial neighborhood support.
5. Unique conditions exist such that the property has an existing structure that will be used and is consistent with the rural use.
6. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. Lighting shall be site specific. Shielded or cutoff lighting fixtures shall be provided so

that no fugitive light crosses into adjacent lots.

2. Building permits shall be obtained for the change of occupancy of the existing structure and for the two proposed structures on the site. A business license shall be obtained to locate the applicant's business on the subject site.
3. Open storage of materials shall be limited to the rear of the site behind the building shall not be visible from the right-of-way.
4. Signs provided in connection with the Special Use Permit shall meet the requirements of the C-1 zone, and shall be shown on a revised site plan that includes elevation drawings for all signs.
5. Landscaping for the Special Use Permit shall be as noted on the site plan and established within six months of the final Board of County Commissioners' approval.
 - a. There shall be a landscaped buffer along all streets of no less than 10 feet that shall include the planting of one tree, 1 ½ inch minimum caliper measured at least two feet above ground per 30 linear feet of frontage.
 - b. All landscaped buffers shall incorporate both coniferous and deciduous trees, shrubs, and vegetation to achieve a minimum of 75 percent coverage and a largely opaque screen within two years of initial planting.
 - c. At the time of planting, all trees shall be a minimum of 1½-inch caliper measured at two feet above ground, and shrubs shall be a minimum of five gallons in size. The landscaped buffers shall also provide gravel coverage at a minimum depth of two inches, and shall be watered by a designated irrigation system.
6. A final grading and drainage plan shall be submitted to the Public Works Division within 90 days of the final Board of County Commissioner's approval.
7. The applicant shall obtain a driveway permit from the New Mexico Department of Transportation regarding access to Second St. A copy of the permit shall be submitted to the Public Works Division and the Department of Zoning, Building, Planning and Environmental Health Department within three months of the final Board of County Commissioners' approval.
8. Access shall be limited to a 16 foot driveway for egress along the north property line, a 30 foot driveway for ingress and egress along the south property line. A 28-foot turning curve radius shall be available within the site for fire apparatus, in accordance with the site plan dated November 16, 2009.
9. The parking on site shall be in accordance with the site plan:
 - a. Parking spaces shall be 8 feet wide and 20 feet long. Handicapped parking spaces must be provided.
 - b. Off-street Loading and Unloading Spaces shall comply with Section 21.E and shall be so located that loading and unloading activity will not block or restrict a public right-of-way.
10. All structures on the site shall comply with building height requirements for C-1 zoning.
11. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.

12. The Special Use Permit shall be issued for the life of the use.
13. A revised site development plan consistent with the Conditions of Approval shall be submitted for review and approval to the Zoning Administrator within two months of the final Board of County Commissioners' approval. The final site plan shall show the use of the structures, parking calculations, required landscaping, location of all loading areas and spaces, circulation, ingress and egress, and handicap access. Show all outside storage on the site plan.
14. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

ATTACHMENTS:

1. County Planning Commission Notice of Decision Letter (January 11, 2010)
2. County Planning Commission Information Packet.
3. Site Plan, dated November 16, 2009 (Commissioners Only).

STAFF ANALYSIS SUMMARY

ZONING, BUILDING & PLANNING:

Staff Recommends Approval